

ALSTON & BIRD RECEIVED
FEDERAL ELECTION
COMMISSION

One Atlantic Center
1201 West Peachtree Street
Atlanta, GA 30309-3424

2016 AUG 22 PM 1: 54

404-881-7000
Fax: 404-881-7777
www.alston.com

William H. Jordan

Direct Dial: 404-881-7850 OFFICE OF GENERAL COUNSEL jordan@alston.com

August 8, 2016

VIA EMAIL & U.S. MAIL

Federal Election Commission
Office of Complaints Examination
And Legal Administration
Attn: Donna Rawls, Paralegal
999 E Street, NW
Washington, DC 20436

drawls@fec.gov
jjordan@fec.gov

Re: Federal Election Commission MUR #7101

Dear Ms. Rawls:

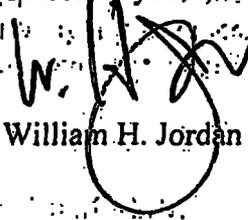
This firm represents Bernard Marcus in connection with MUR #7101. Mr. Marcus received a letter from the Commission indicating that it has received a "complaint that indicates [he] may have violated the Federal Election Campaign Act of 1971." Any fair reading of the Complaint does not demonstrate any allegation whatsoever that Mr. Marcus violated the FECA. Mr. Marcus is not named as a Respondent to the Complaint, which appears to be a politically motivated attack on certain so-called Super PACs. Any investigation related to Mr. Marcus should be closed immediately.

Mr. Marcus has, in fact, contributed to the Senate Leadership Fund. Documents reflecting that contribution are attached. They demonstrate clearly that the Senate Leadership Fund is a Super PAC organized pursuant to Section 527. If the FEC believes otherwise, that is a matter between it and the Senate Leadership Fund, not an investigation that is directed at Mr. Marcus.

Please close this matter as it relates to Mr. Marcus and send a response to me indicating that it has been terminated.

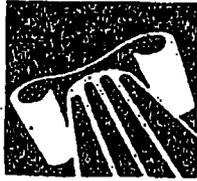
Thank you very much.

Sincerely yours,


William H. Jordan

WHJ:mmf
Enclosures

ALSTON & BIRD



SENATE LEADERSHIP FUND

Memorandum

TO: Prospective Supporter

FROM: David Gershank

SUBJECT: Contribution Information

Thank you for your interest in supporting the Senate Leadership Fund. This memorandum provides important information to prospective contributors concerning Senate Leadership Fund. It is not intended as an opinion letter regarding your particular circumstances, and you should consult your attorney or accountant on how this information applies specifically to your contemplated donation.

As a new, independent Super PAC, the Senate Leadership Fund is organized as a Section 527, federal independent expenditure political committee and as such is able to engage in independent political advocacy.

The Senate Leadership Fund has one goal: To protect and expand the Republican U.S. Senate Majority.

Our communications may directly advocate for or against the election of federal candidates, discuss their policy positions, or may consist of voter mobilization activities.

There are no limits on the amounts that may be contributed to Senate Leadership Fund by an individual, corporation, union, or trade association; however, Senate Leadership Fund is prohibited from accepting contributions from foreign nationals, other than from an individual with permanent residence status ("green card" holder). Contributions from federal government contractors are also prohibited.

Contributions to Senate Leadership Fund are not deductible as charitable contributions for federal income tax purposes. Donations and disbursements of more than \$200 are itemized and disclosed to the Federal Election Commission ("FEC") on periodic reports which are made available to the general public on the FEC's' web site. When Senate Leadership Fund engages in express advocacy, it must also disclose those specific disbursements to the Federal Election Commission.

Should you have any questions concerning Senate Leadership Fund or its efforts, please do not hesitate to contact me at (703) 867-6632 or david@senateleadershipfund.org.

Thank you again for your interest and consideration in Senate Leadership Fund. I look forward to following up shortly.

Paid for by Senate Leadership Fund and not authorized by any candidate or candidate's committee.

www.senateleadershipfund.org

Senate Leadership Fund | 1615 L Street NW, Suite 1230 | Washington, DC 20036



RECEIVED
FEDERAL ELECTION
COMMISSION

FEDERAL ELECTION COMMISSION
999 E Street, NW
Washington, DC 20463

2016 AUG -8 PM 1: 27

OFFICE OF GENERAL
STATEMENT OF DESIGNATION OF COUNSEL
Please use one form for each Respondent/Entity/Treasurer
FAX (202) 219-3923

MUR# 7101

NAME OF COUNSEL: WILLIAM H. JORDAN

FIRM: ALSTON + BIRD

ADDRESS: 1201 W. PEACHTREE ST

ATLANTA GA 30309

TELEPHONE- OFFICE (404) 861-7850

FAX (404) 861-7777 Web Address bill.jordan@alston.com

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

01/16
Date

Doug D. Napoli / w/ permission
Respondent/Agent -Signature

CFO, Marcus Foundation
Title (Treasurer/Candidate/Owner)

RESPONDENT: BERNARD MARCUS
(Committee Name, Company Name, or Individual Named in Notification Letter)

MAILING ADDRESS: 1266 W. PACES FERRY RD STE 615
(Please Print)

ATLANTA, GA 30337-2306

TELEPHONE (H) _____ (W) _____

E-Mail: DD.NAPOLI@MARCUSFOUNDATION.ORG

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation

Rev. 2014

1704442100017